

MINUTES of the Regular Meeting of the City
Council of the City of Rye held in City Hall on October
4, 2000 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
ROBERTA DOWNING
ROBERT H. HUTCHINGS
DOUGLAS MCKEAN
ARTHUR STAMPLEMAN
Councilmen

ABSENT:

CAROLYN CUNNINGHAM
ROSAMOND LARR
Councilwomen

1. Pledge of Allegiance

Mayor Otis invited the audience to join the council in the Pledge of Allegiance.

2. Roll Call

Mayor Otis called the meeting to order; a quorum was present to conduct official city business. He began the meeting with three announcements.

The Mayor welcomed new City Clerk, Susan A. Morison to her position mentioning that she was no stranger to Rye having served as Director of The Rye Historical Society for 9 years. He also thanked Carol Johnson for all her hard and good work as Interim City Clerk.

Mayor Otis congratulated City Manager Julia Novak for being the recipient of the Buford M. Watson, Jr. Award for Assistant Excellence in Leadership for her performance as Deputy Manager of Rockville, Md. He noted that the well deserved honor was awarded at the Annual International City/County Management Association Meeting held in mid-September.

The Mayor announced the budget schedule for November as follows:

- * The City Manager's presentation will take place in City Council Chambers on Wednesday, November 8, 2000 at 8:00 PM.

- * Workshops will be held in the Mayor's Conference Room on Wednesday, November 15, 2000 at 7 P.M.; Thursday, November 16, 2000 at 8:00 PM and Monday, November 20, 2000 at 8:00 PM, if necessary.
- * The Public Hearing will be held at the City Council Meeting on Wednesday, November 29, 2000 at 8:00 P.M., if necessary.

3. Residents may be heard who have matters to discuss that do not appear on the agenda

Thierry Hasse, President of the Homeowners Association of The Preserve, located on the Boston Post Road and Johnson Place, addressed the Council regarding the proposed installation of a traffic light at that intersection. He advised that the Association has some concerns about whether or not a light, as currently proposed, is the best solution to the safety issues raised. Mr. Hasse mentioned that, for example, it was possible that making a left turn into Barlow Lane or Johnson Place might be the most dangerous aspect of the situation and that a left arrow might be important. He asked that the process be delayed until they can have more input into the solution.

Mayor Otis reviewed the background and the Council agreed that the request was reasonable and that they would welcome additional input from the Association.

At the request of Mayor Otis the Association agreed to prepare their suggestions and work with the Traffic and Transportation Committee to come up with a new proposal. The Mayor stated that the Council would like to be able to review the new proposal at their November 1 meeting so that the matter can be resolved one way or another in a timely fashion.

4. Public hearing on proposed local law amending Section C6-7 of Article 6, and Section C7-2 of Article 7 of the Rye City Charter, changing the title Acting Mayor to Deputy Mayor

Mayor Otis explained that the proposed local law Section C6-7 of Article 6 and Section C7-2 of Article 7 of the Rye City Charter would change the title "Acting Mayor" to "Deputy Mayor." He then opened the public hearing.

Councilman Stampleman moved to accept the changes to the Charter as proposed. Councilman Hutchings expressed his concern about changing a title that has been part of the City Charter for many years. He stated that the word "deputy" indicated an additional layer of government and questioned why the change is being proposed. Councilwoman Downing agreed and stated that she was more comfortable with retaining the title of "Acting Mayor." Councilman Stampleman said the change was being proposed because the title "Acting Mayor" causes confusion about where the Mayor is; that many other neighboring municipalities, (including the Village of Rye Brook and Harrison) use the "Deputy" designation; and that he did not feel changing the title indicated any additional layer of government.

As there was no second to Councilman Stampleman's motion, Councilman McKean suggested that the public hearing be continued at the next meeting when more of the Council, including Councilwoman Cunningham who proposed the change, could be present. The Council agreed to continue the public hearing at the October 18 Council Meeting.

5. Discussion of the American Yacht Club's proposal for land exchange with the Town of Rye at their entrance on Stuyvesant Avenue

The Mayor explained that the American Yacht Club has proposed a land exchange with the Town of Rye at their entrance to Stuyvesant Avenue and that the Council needs to determine the process to follow if the proposal is to move forward. He invited representatives for American Yacht Club to address the Council.

Nick Everett, a member of the Club's Board of Trustees, described the proposal to swap a parcel of land owned by the Club on Stuyvesant Avenue for a parcel of land owed by the Town of Rye, adjacent to the Club's entrance so that the Club could expand its waterfront use. He pointed out that a new park could be created on the parcel being offered and that the Club would also donate resources to fix up the area. He offered the opinion that Rye would gain a park in return for the pier (which is currently used for fishing but is underwater at high tide and unsafe). The park would continue to offer public access to the water with a better beach area and better view of New York City.

Mayor Otis thanked Mr. Everett for his presentation and indicated there is general support for the idea. However, he stated the City needs to do full due diligence so that the issues of how the park would be maintained and secured can be resolved in a manner satisfactory to all parties. He said that he has been in contact with the Town of Rye and they are receptive to the idea, but details need to be worked out. Despite the fact that this proposal would create a park in the City of Rye the Town of Rye would still own the property. Councilman McKean suggested that the park could be annexed to Rye Town Park which operates under an Inter-Municipal Agreement. The Mayor pointed out that this solution might require State legislation which would delay resolution. Mayor Otis also stated that it was important that the neighbors (particularly Shenorock Shore Club) be informed of the proposal.

Steve Furnary, speaking on behalf of the Yacht Club and as a resident of Milton Point, said that it was important to note that the Club envisions a park that would be an asset to the neighborhood, secured at night, and well maintained. He stated that he hoped that the City of Rye would take an active role in the maintenance of the park.

Mayor Otis requested the City Manager to gather reports from the Planning, Recreation, and Conservation Commissions, the Corporation Counsel and City staff so that the proposal can be properly structured before it is submitted to the Town of Rye. The Mayor stated that the neighbors

should be notified and that further discussion of the proposal should be on the agenda for the November 1 Council Meeting.

6. Approval of Financial Goals and Policy Statements of the City of Rye

At the request of Mayor Otis, City Comptroller Michael Genito presented the revised version of the Financial Goals and Policy Statements, amended to be more in tune with today's standards as established by the International City County Management Association (ICMA) and the Government Finance Officers Association (GFOA). He said that the revisions have been reviewed and approved by the Finance Committee. Councilman Stampleman referenced the last paragraph of the Revenue Policy suggesting that the words "the City will periodically review its schedule of fines and related administrative measures" be retained.

Councilman Stampleman moved and Councilman Hutchings seconded a motion which was carried unanimously to amend the Revenue Policy Statement to include the phrase suggested by Councilman Stampleman.

Councilman Stampleman motioned and Councilman Hutchings seconded the proposal to approve the revised Financial Goals and Policy Statements of the City of Rye.

ROLL CALL:

AYES: Mayor Otis, Councilmen Downing, Hutchings, McKean,
and Stampleman

NAYS: None

ABSENT: Councilwomen Cunningham and Larr

The motion carried.

Mayor Otis thanked Comptroller Genito for his excellent work on this project.

7. Resolution designating certain employees as authorized persons in connection with all bank accounts maintained with The Chase Manhattan Bank

The Mayor presented a resolution designating certain employees as authorized persons in connection with all bank accounts maintained with The Chase Manhattan Bank for the Council's review.

Councilman Stampleman requested that references to telephone verification be deleted. City Manager Novak indicated that such a change would require approval from Chase. She was asked to see if it could be deleted but after further discussion the Council decided not to delay the approval.

Councilman Hutchings made a motion, seconded by Councilwoman Downing, to adopt the following resolution:

RESOLVED, that Julia D. Novak, City Manager; Michael A. Genito, City Comptroller; George J. Mottarella, City Engineer, and Mary Lou McClure, Deputy Comptroller, or their successors, be and hereby are designated as an authorized person in connection with all bank accounts now or hereafter maintained with Bank for and in the name of Corporation for the purpose of verifying, by telephone callback, verbal payment orders issued in the name of Corporation, including those issued by telecopier, and, issuing written confirmations of payment orders issued in the name of Corporation.

The Bank may rely upon telephone verification and/or written confirmations given, or purporting to have been given, by the authorized person identified in paragraph one hereof, and all payment orders verified by telephone call-back shall be deemed to be authorized orders of Corporation.

The Bank may place telephone call-backs to the telephone number of Corporation as reflected in the records of Bank or to such other telephone number as may hereafter be designated in writing by an Officer of Corporation.

The Bank shall be under no duty to monitor the receipt of written confirmations or to detect discrepancies between written confirmations and verbal payment orders.

Each of the foregoing Resolutions and the authority thereby conferred shall remain in full force and effect until written notice of revocation or modification shall be received by Bank; provided that such notice shall not be effective with respect to any exercise of said authorities prior to the receipt thereof nor with respect to any payment orders issued prior to or on the date of receipt of such notice. The Secretary or any Assistant Secretary or any other Officer of Corporation is hereby authorized and directed to certify, under the seal of Corporation or not, but with like effect in the latter case, to Bank, the Resolutions, the names of the Officers and other representatives of Corporation, any changes from time to time in the said Officers and representatives and specimens of their respective signatures; and that Bank may conclusively assume that persons at any time certified to it by Officers or other representatives of Corporation continue as such until receipt by the Bank of written notice to the contrary.

The voice vote was taken as follows:

AYES: Mayor Otis, Councilmen Downing, Hutchings, and McKean

NAYS: Councilman Stampleman

ABSENT: Councilwomen Cunningham and Larr.

The resolution was adopted.

8. Approval of revised Police Department Manual General Order #116.5, Overtime/Compensatory Time

At the request of Mayor Otis, City Manager Novak presented a revised policy for Overtime/Compensatory Time for the Police Department. She advised that the changes were made with input and approval from the Police Benevolent Association to clarify how overtime is determined. Police Commissioner Joseph Verille outlined the basic revisions for the Council. He explained that overtime will now be determined according to a revolving list which will make it more equitable and will eliminate the provision allowing personnel assigned to light duty to work outside jobs.

PBA President Timothy Chittendon addressed the council affirming that the PBA does support the new policy except for the omission of items 13 and 14 which deal with overtime for those on light duty. Manager Novak said the issue of overtime as it relates to those on light duty was addressed by the Council when General Order #102 was amended last spring so this issue is not part of the proposal being discussed.

Councilman Hutchings made a motion, seconded by Councilman Stampleman and carried unanimously that Police Department Manual General Order #116.5 Overtime/ Compensatory Time be approved.

9. Approval of the election of a new member to the Rye Fire Department

Councilman Hutchings made a motion, seconded by Councilwoman Downing and unanimously carried to approve the election of Albert Dejesus to the Rye Fire Police Patrol.

10. Two appointments to the Boat Basin Commission, by the Council, for two-year terms expiring January 1, 2001

Councilman Hutchings made a motion, seconded by Councilwoman Downing and unanimously carried, to approve the appointment of Frank Mack and Charles Northshield to the Boat Basin Commission for two-year terms expiring January 1, 2001.

11. Designation of one member to the Boat Basin Nominating Committee

Councilman Hutchings made a motion, seconded by Councilwoman Downing and unanimously carried, to approve the designation of Alan Caminiti to serve on the Boat Basin Nominating Committee.

12. Four appointments to the Rye Golf Club Commission, by the Council, for two-year terms expiring January 1, 2003

Councilman Stampleman made a motion, seconded by Councilman Hutchings and unanimously carried to approve the appointments of George DeFilippo, Charles Dorn, Joseph Groglio and Doug Killip to the Rye Golf Club Commission for two-year terms expiring January 1, 2003.

13. Designation of two members to the Rye Golf Club Nominating Committee

Councilman Stampleman made a motion, seconded by Councilwoman Downing and unanimously carried to approve the designation of Vincent Marconi and Anne Saracino to the Rye Golf Club Nominating Committee.

14. Consideration of the request of the Recreation Department to use City Hall, the Village Green, and city streets for the 24th Annual Turkey Run on Saturday, November 25, 2000

Councilwoman Downing made a motion, seconded by Councilman McKean and unanimously carried to approve the request for use of City Hall, the Village Green, and city streets for the 24th Annual Turkey Run and Awards Ceremony on Saturday, November 25, 2000.

15. Consideration of request on behalf of Indian Village residents to use Mendota Avenue for a Halloween Parade on Tuesday, October 31, 2000, from 3:00 p.m. to 5:30 p.m.

Councilwoman Stampleman made a motion, seconded by Councilman McKean and unanimously carried to approve the request for controlled traffic on Mendota Avenue between Highland Road and Mohawk Street on October 31, 2000 between 3:00 and 5:30 PM for a Halloween Parade.

16. Consideration of request on behalf of families in the vicinity of Milton School to use Robert Crisfield Place for a Halloween Parade on Tuesday, October 31, 2000, from 4:00 p.m. to 5:30 p.m.

Councilwoman Stampleman made a motion, seconded by Councilman McKean and unanimously carried to approve the request for Controlled Traffic on Robert Chrisfield Place on October 31, 2000 between 4:00 p.m. and 5:30 p.m. for a Halloween Parade.

17. Authorization for the City Manager to enter into an Inter-Municipal Agreement with the Village of Rye Brook to provide a traffic signal at the intersection of South Ridge Street and High Street

Mayor Otis explained that the Council had before them a proposal to authorize the City Manager to enter into an Inter-Municipal Agreement with the Village of Rye Brook to provide a traffic signal at the intersection of South Ridge Street and High Street.

Councilman Stampleman indicated that he does not support the installation of the light and questioned if it was worth the cost of installation when the stop signs seem to be accomplishing the desired objective. Councilman Hutchings agreed. Councilman McKean reminded the council that this intersection has been identified by the County as a hazard; that the stop signs were put up only as an interim measure; and that stop signs were not a guarantee that drivers would stop. City Manager Novak said tonight's request was really the final step in the process and that it has been approved by all other interested parties.

Councilman McKean moved that the Council proceed with the authorization for the City Manager to enter into an Inter Municipal Agreement with the Village of Rye Brook. As there was no second to the motion, the item was deferred until the October 18 Council Meeting.

18. Bids for Traffic Signal at Ridge Street and High Street

The Mayor stated that because no authorization was made for the City Manager to enter into an Inter-Municipal Agreement with the Village of Rye Brook to provide a traffic signal at the intersection of South Ridge Street and High Street, the acceptance of the bid for this traffic signal should be deferred to the October 18 Council Meeting. The Council asked that City Engineer George Mottarella consult with the Traffic and Transportation Committee about the questions raised by Councilmen Stampleman and Hutchings.

19. Draft unapproved minutes of the regular meetings of the City Council held August 16 and September 6, 2000

Councilman Stampleman made a motion, seconded by Councilman McKean and unanimously carried to approve the minutes of the regular meetings of the City Council held August 16, 2000 as submitted.

Councilman Stampleman made a motion, seconded by Councilman McKean and unanimously carried to approve the minutes of the regular meetings of the City Council held September 6, 2000 as submitted.

20. Miscellaneous communications and reports

Councilwoman Downing mentioned that she had received a letter of concern regarding the white rocks placed near the road on Stuyvesant Avenue. City Manager Novak will ask the Building Inspector to investigate, but they would be in violation only if they are on a public right of way. Manager Novak will report back at the next meeting.

Councilwoman Downing reported that there had been an accident exiting the Christ's Church parking lot onto Milton Road near the traffic circle. She reiterated that in her opinion this continues to be a very dangerous area. A discussion followed concerning what kinds of lines and signage we might have which would still be in compliance with State guidelines. Mayor Otis mentioned there is a sign consultant in Larchmont who might be able to give advice. Councilwoman Downing said she would like to have the Traffic and Transportation Committee take another look at the traffic circle and report back to the Council.

Councilwoman Downing said she was concerned about the language in the memorandum from the Landmarks Advisory Committee to the Planning Commission concerning the new plans for the Library. While she recognizes the excellent work done by the Landmarks Committee she feels that the wording of the memo lost sight of the fact that the Landmarks Committee "advises" the Board of Architectural Review. She felt the statement that the Library "will not receive a Certificate of Appropriateness" is out of place. Councilman Stampleman agreed that the wording should have used the word "recommend." He said he felt that it was what they intended to say, and, in any event, observed that no Certificate of Occupancy has been issued without a positive recommendation from the Landmarks Committee. Councilman Hutchings objected to the drawing attached to the memo saying that he thought it was inappropriate for the Landmarks Committee to present an architectural plan. Councilman McKean said he felt that this kind of informal suggestion indicating the kind of plan which would be appropriate from the Landmarks Committee point of view was acceptable. Mr. Stampleman said that a meeting between the Landmarks Committee and the Library was held this summer at the request of the Library for the purpose of getting input from the Landmarks Committee. The Mayor asked that the minutes reflect the concerns that the Landmarks Committee may have "stepped across the line" and suggested that the memo be revised to stay within their approved, guidelines which is to "recommend to the BAR." He suggested that once the minutes are approved they can be circulated to members of the Landmarks Committee and thanked the Council for their input on this matter.

21. Old Business

There was no old business to come before the Council.

22. New Business

The Council determined that the October 14th Orientation work session with the City Manager be set for 9:00 a.m. through 3:30 P.M.

The Council requested that Manager Novak provide them with a list of landmarked properties in the City of Rye.

Councilman McKean made a motion, seconded by Councilman Hutchings and unanimously carried, to adjourn to executive session at 9:55 P.M.

The Council reconvened at 10:40 P.M.

23. Adjournment

There being no further business to discuss, Councilman Hutchings made a motion, seconded by Councilman McKean and unanimously carried, to adjourn the meeting at 10:40 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk